



26 FEB 2003

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In re Application of  
Mermigidis

Application No.: 09/806,346

Int. App. No.: PCT/DE00/02723

Int. Filing Date: 05 August

Priority Date: 11 August 1999

Atty. Docket No.: N/A

For: Electrode And Photoelectrochemical Cell With  
Four Layers, Method For Producing A Printable  
Paste Containing An Electrolyte And/Or Carbon,

DECISION

This decision is in response to the response, entitled "Notification of missing requirements under 35 U.S.C. 371," filed on 06 December 2001.

### BACKGROUND

On 09 October 2001, a Notification of Missing Requirements (Form PCT/DO/EO/905) was mailed to applicants, requiring the filing of an executed oath or declaration of the inventor and a surcharge under 37 CFR 1.492(e).

On 28 November 2001, applicant submitted a payment of \$200.00 to the USPTO via wire transfer.

On 06 December 2001, applicant filed the instant response.

### DISCUSSION

Review of the record reveals that applicants timely filed the instant response, including fees, within the period to respond to the Form PCT/DO/EO/905 mailed on 09 October 2001. Review of the declaration reveals that it is in compliance with 37 CFR 1.497(a) and (b). As such, it satisfies the requirements of 35 U.S.C. 371(c)(4).

It is noted that applicant presents a number of arguments concerning inventorship of German priority application number 199 37 910.6. It is not clear whether applicant intends to call into question the inventorship of instant application number 09/806,346, which is the national stage in the United States of PCT/DE00/02723. If so, applicant is required to promptly notify this Office of any such question of inventorship.

**DECISION**

Applicants' request for an extension of time is **DISMISSED** as moot.

This application is being returned to the National Stage Processing Branch for further processing. The date of this application under 35 U.S.C. 371 is **06 December 2001**.



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